

109TH CONGRESS  
2D SESSION

**S.** \_\_\_\_\_

To establish an Unsolved Crimes Section in the Civil Rights Division of  
the Department of Justice.

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IN THE SENATE OF THE UNITED STATES

\_\_\_\_\_ introduced the following bill; which was read twice  
and referred to the Committee on \_\_\_\_\_

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**A BILL**

To establish an Unsolved Crimes Section in the Civil Rights  
Division of the Department of Justice.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Unsolved Civil Rights  
5       Crime Act”.

6       **SEC. 2. SENSE OF CONGRESS.**

7       It is the sense of Congress that all authorities with  
8       jurisdiction, including the Federal Bureau of Investigation  
9       and other entities within the Department of Justice,  
10      should—

1           (1) expeditiously investigate unsolved civil  
2       rights murders, due to the amount of time that has  
3       passed since the murders and the age of potential  
4       witnesses; and

5           (2) provide all the resources necessary to ensure  
6       timely and thorough investigations in the cases in-  
7       volved.

8       **SEC. 3. DEFINITIONS.**

9       In this Act:

10           (1) CHIEF.—The term “Chief” means the Chief  
11       of the Section.

12           (2) DIRECTOR.—The term “Director” means  
13       the Director of the Office.

14           (3) CRIMINAL CIVIL RIGHTS STATUTES.—The  
15       term “criminal civil rights statutes” means—

16                (A) section 241 of title 18, United States  
17       Code (relating to conspiracy against rights);

18                (B) section 242 of title 18, United States  
19       Code (relating to deprivation of rights under  
20       color of law);

21                (C) section 245 of title 18, United States  
22       Code (relating to federally protected activities);

23                (D) sections 1581 and 1584 of title 18,  
24       United States Code (relating to involuntary ser-  
25       vitude and peonage);

1 (E) section 901 of the Fair Housing Act  
2 (42 U.S.C. 3631); and

3 (F) any other Federal law that—  
4 (i) was in effect on or before Decem-  
5 ber 31, 1969; and

6 (ii) the Criminal Section of the Civil  
7 Rights Division of the Department of Jus-  
8 tice enforced, prior to the date of enact-  
9 ment of this Act.

10 (4) OFFICE.—The term “Office” means the  
11 Unsolved Crimes Office established under section 5.

12 (5) SECTION.—The term “Section” (except  
13 when used as part of the term “Criminal Section”)  
14 means the Unsolved Crimes Section established  
15 under section 4.

16 **SEC. 4. ESTABLISHMENT OF SECTION IN CIVIL RIGHTS DI-**  
17 **VISION.**

18 (a) IN GENERAL.—There is established in the Civil  
19 Rights Division of the Department of Justice an Unsolved  
20 Crimes Section. The Section shall be headed by a Chief  
21 of the Section.

22 (b) RESPONSIBILITY.—

23 (1) IN GENERAL.—Notwithstanding any other  
24 provision of Federal law, and except as provided in  
25 section 5, the Chief shall be responsible for inves-

1       tigating and prosecuting violations of criminal civil  
2       rights statutes, in cases in which a complaint alleges  
3       that such a violation—

4               (A) occurred not later than December 31,  
5       1969; and

6               (B) resulted in a death.

7       (2) COORDINATION.—After investigating a com-  
8       plaint under paragraph (1), or receiving a report of  
9       an investigation conducted under section 5, if the  
10      Chief determines that an alleged practice that is a  
11      violation of a criminal civil rights statute occurred in  
12      a State, or political subdivision of a State, that has  
13      a State or local law prohibiting the practice alleged  
14      and establishing or authorizing a State or local offi-  
15      cial to grant or seek relief from such practice or to  
16      institute criminal proceedings with respect to the  
17      practice on receiving notice of the practice, the Chief  
18      shall consult with the State or local official regard-  
19      ing the appropriate venue for the case involved.

20      (3) REFERRAL.—After investigating a com-  
21      plaint under paragraph (1), or receiving a report of  
22      an investigation conducted under section 5, the  
23      Chief shall refer the complaint to the Criminal Sec-  
24      tion of the Civil Rights Division, if the Chief deter-  
25      mines that the subject of the complaint has violated

1 a criminal civil rights statute in the case involved  
2 but the violation does not meet the requirements of  
3 subparagraph (A) or (B) of paragraph (1).

4 (c) STUDY AND REPORT.—

5 (1) STUDY.—The Chief shall annually conduct  
6 a study of the cases under the jurisdiction of the  
7 Chief or under the jurisdiction of the Director and,  
8 in conducting the study, shall determine the cases—

9 (A) for which the Chief has sufficient evi-  
10 dence to prosecute violations of criminal civil  
11 rights statutes; and

12 (B) for which the Chief has insufficient  
13 evidence to prosecute those violations.

14 (2) REPORT.—Not later than September 30 of  
15 2006 and of each subsequent year, the Chief shall  
16 prepare and submit to Congress a report containing  
17 the results of the study conducted under paragraph  
18 (1), including a description of the cases described in  
19 paragraph (1)(B).

20 (d) AUTHORIZATION OF APPROPRIATIONS.—

21 (1) AUTHORIZATION.—There is authorized to  
22 be appropriated to carry out this section \$5,000,000  
23 for fiscal year 2007 and each subsequent fiscal year.

24 (2) ADDITIONAL APPROPRIATIONS.—Any funds  
25 appropriated under this subsection shall consist of

1 additional appropriations for the activities described  
2 in this section, rather than funds made available  
3 through reductions in the appropriations authorized  
4 for other enforcement activities of the Department  
5 of Justice.

6 **SEC. 5. ESTABLISHMENT OF OFFICE IN FEDERAL BUREAU**  
7 **OF INVESTIGATION.**

8 (a) IN GENERAL.—There is established in the Civil  
9 Rights Unit of the Federal Bureau of Investigation of the  
10 Department of Justice an Unsolved Crimes **【Office】**. The  
11 Office shall be headed by a **【Director of the Office】**.

12 (b) RESPONSIBILITY.—

13 (1) IN GENERAL.—In accordance with an  
14 agreement established between the Director and the  
15 Chief, the Director shall be responsible for inves-  
16 tigating violations of criminal civil rights statutes, in  
17 cases described in section 4(b).

18 (2) COORDINATION.—After investigating a com-  
19 plaint under paragraph (1), the Director shall—

20 (A) determine whether the subject of the  
21 complaint has violated a criminal rights statute  
22 in the case involved; and

23 (B) refer the complaint to the Chief, to-  
24 gether with a report containing the determina-  
25 tion and the results of the investigation.

1 (c) AUTHORIZATION OF APPROPRIATIONS.—

2 (1) AUTHORIZATION.—There is authorized to  
3 be appropriated to carry out this section \$5,000,000  
4 for fiscal year 2007 and each subsequent fiscal year.

5 (2) ADDITIONAL APPROPRIATIONS.—Any funds  
6 appropriated under this subsection shall consist of  
7 additional appropriations for the activities described  
8 in this section, rather than funds made available  
9 through reductions in the appropriations authorized  
10 for other enforcement activities of the Department  
11 of Justice.

12 **SEC. 6. COMMUNITY RELATIONS SERVICE OF THE DEPART-**  
13 **MENT OF JUSTICE.**

14 In addition to any amounts authorized to be appro-  
15 priated under title XI of the Civil Rights Act of 1964 (42  
16 U.S.C. 2000h et seq.), there are authorized to be appro-  
17 priated to the Community Relations Service of the Depart-  
18 ment of Justice \$1,500,000 for fiscal year 2007 and each  
19 subsequent fiscal year, to enable the Service to carry out  
20 the functions described in title X of such Act (42 U.S.C.  
21 2000g et seq.).